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PTO/SB/21 (09-04)

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FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/069,831
Filing Date	02/04/2002
First Named Inventor	Placks, Michael S.
Art Unit	1618
Examiner Name	Pryor, Alton N.
Attorney Docket Number	2200019711CON3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmitted Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Communication to Examiner's Telephone Message is attached.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Patricia A. Coburn		
Date	11/22/2004	Reg. No.	28,594

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Patricia A. Coburn

Typed or printed name

Patricia A. Coburn

Date

11/22/2004

This collector of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No/066,831
 Paper Dated 11/20/04
 Response to Examiner's Telephone Call of 11/19/2004

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NOV 22 2004

PATENT

ATTORNEY DOCKET NO: 22000(I)9711CON3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Placke, Michael E., et. al.	Group No: 1618
Serial No: 10/066,831	Examiner: Pryor, Alton N.
Filed: 02/04/2002	
For: Formulation And Methods For Treating Neoplasms by Inhalation	

Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

VIA FACSIMILE: 703-895-1111

Dear Sir:

Communication in Response to Examiner's Telephone Message

By telephone call dated November 19, 2004, Examiner Alton Pryor indicated the following:

1. The Docketing Group did not enter Applicants' Response After Final dated October 10, 2004 because it was not signed; and
2. An additional fee of \$54.00 is due in the case for additional claims.

Attached hereto is a true duplicate of the Response dated October 10, 2004 that is signed by Patricia A. Coburn, attorney of record in the above-identified application.

Applicants have reviewed the file of the above-identified application and according to our records, no additional fees are due for claims pending in this application.

Table 1 below summarizes the fees paid for claims in the above-identified application.

Appl. 10/068,831
 Paper Dated 11/20/04
 Response to Examiner's Telephone Call of 11/19/2004

Table 1.
 Summary of Claims Paid For in Application

FORM	DATED	TOTAL CLAIMS	NO. OF INDEPENDENT CLAIMS	EXCESS CLAIMS PAID FOR	METHOD OF PAYMENT	LARGE/ SMALL ENTITY CLAIMED
PTO/SB/17 (11-01)	02-04-2002	23	1	3 Dependent	Credit Card charge	Large
PTO/SB/17 (05-03)	07-01-2003	24	2	1 Dependent	Credit Card charge	Small
PTO/SB/17 (11-03)	01-28-2004	17	1	None	Check	Small
PTO/SB/17 (10-04-2)	10-11-2004	12	1	None	Check	Small

Based on the records summarized above, Applicants do not believe that any additional fees are due in the above-identified application. However, if Applicants are in error, the USPTO is respectfully requested to provide detail of the fee that is due and Applicants will promptly pay such amount.

Respectfully submitted,

Dated: November 20, 2004

By: Patricia A. Coburn
 Patricia A. Coburn

Zivena, Inc.
 Street Address: 1850 Watermark Drive,
 Suite 110 Columbus, Ohio 43215

Registration No. 28,594

Mailing Address: PO Box 16276,
 Columbus Ohio 43216-6276

Attorney for Zivena, Inc.
 Phone: (614) 766-9136

Appl. 10/086,831
Amdt. Dated 10/10/04
Reply to Final Office Action of 04/27/2004

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PATENT

ATTORNEY DOCKET NO: 22000(I)9711CON3

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Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

Amendment and Response Under 37 CFR §1.116

In response to the Office Action dated April 27, 2004 and made Final, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of the claims which appear on pages 2 – 3 of this paper.

Remarks/arguments begin on page 4 of this paper.